

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF
THE MIAMI BEACH EMPLOYEES' RETIREMENT PLAN
OF THE CITY OF MIAMI BEACH
January 11, 2011

Chairman Boyd called the meeting to order at 10:00 a.m.

Board Members present were as follows:

James Boyd	Jose Cruz	Hilda Fernandez
Jorge Gomez	Warren Green	Reinaldo Horday
Jonathan Sinkes	Patricia Walker	

Members absent - Richard McKinnon

Also present were:

Steve Cypen	Legal Counsel
Rick Rivera	Pension Administrator
Robert Martinez	Assistant Pension Administrator

A discussion ensued regarding adding Willie Lawson's payment arrangement, approved by the Board last month, to the December 14, 2010 Board Minutes. The Administrator said that he would make this inclusion.

A motion was made by Ms. Fernandez duly seconded by Mr. Sinkes, and unanimously

RESOLVED That the December 14, 2010 Board Minutes be approved as amended.

CONSENT AGENDA

C-1 The Minutes of the December 14, 2010 board meeting were approved as amended.

C-2 New Members were approved as follows -

<u>NAME</u>	<u>ID #</u>	<u>CLASSIFICATION</u>	<u>Union</u>	<u>HIRE</u>
Herman Fung	19574	Construction Manager	UNCL	10/4/2010
Elisa Iglesias	19650	Capital Proj. Coordn.	UNCL	8/9/2010

C-3 New Retiree Allowances were approved as follows - (None)

<u>Name</u>	<u>Date</u>	<u>Retirement Type</u>	<u>Monthly Amount</u>
Carmen Carlson	1/1/2011	Ordinary Retirement	\$6,571.81
Carmen Carlson	1/1/2011	Partial L/S Option (5%)	\$48,976.00
Fernando Marcial	2/01/2011	Ord. Retire (from DROP)	\$908.78
Ronald Caplan	2/01/2011	Ord. Retire (from Vested)	\$3,221.38
Wilhelm Stecher	1/01/2011	Ordinary Retirement	\$4,310.25

PENSION BOARD MINUTES

January 11, 2011

Page 2

C-4 New Pensioner Allowances were approved as follows - (None)

C-5 Requests for Lump Sum Refunds were approved as follows -

<u>Name</u>	<u>Separation Date</u>	<u>Amount</u>	<u>Reason</u>
Ivery Johnson	08/31/2010	\$4,889.05	Resignation
Sergio Obando	09/30/2009	\$2,894.35	Resignation
Andre Benjamin	01/16/2011	\$8,871.26	Resignation

C-6 Request for Accumulated Contribution Refund for a Named Beneficiary was approved as follows - (None)

C-7 Purchases of Creditable Service Time were approved as follows-

<u>NAME</u>	<u>DATE</u>	<u>YEAR</u> <u>PURCHASED</u>	<u>HOURS</u> <u>USED</u>	<u>CASH</u> <u>USED</u>	<u>LEAVE</u> <u>AMOUNT</u>
Luis Mojicar	1/5/2011	0.52	95.35	\$0.00	\$ 2,938.28
Lamar Cobb	12/15/2010	0.53	90.71	\$0.00	\$ 1,791.97

C-8 Request for up to Two (2) years of additional creditable service were approved as follows -

2 Year Buyback Applications

<u>NAME</u>	SWORN		CMB		<u>PURCHASED</u>
	<u>STATEMENT</u> <u>SIGNED &</u>	<u>PRIVATE</u>	<u>Application</u> <u>Resume or</u>	<u>CREDITABLE</u> <u>SERVICE</u>	
<u>NAME</u>	<u>NOTARIZED</u>	<u>SECTOR</u>	<u>Add'nl back up</u>	<u>PURCHASED</u>	
Delbert Aguila	X	X	X	2.0	
Richard Zuech	X	X	X	2.0	
Juan Chavez	X	X	X	2.0	
Robert Randle	X	X	X	2.0	

C-9 DROP applicants were approved as follows - (none)

C-10 Lump Sum Refunds Paid since the last meeting were approved as follows -

<u>Name</u>	<u>Date of</u> <u>Check</u>	<u>Voucher</u>	<u>Check</u> <u>Amount</u>	<u>IRS Tax</u> <u>Payment</u>	<u>Tax</u> <u>Payment</u> <u>Date</u>
Xavien Andrews	12/20/1967	112366	\$6,970.49	\$1,742.62	12/21/2010
Lavera Jackson	12/20/1967	112367	\$8,090.79	\$2,022.70	12/21/2010
Michael Arias	12/20/1967	112368	\$7,838.90	\$1,959.73	12/21/2010

C-11 The Financial Reports were approved as presented.

PENSION BOARD MINUTES

January 11, 2011

Page 3

C-12 Requests for Payment

Jan-10

Steve Cypen- Legal Services	
Legal services rendered for the month of January 2011	\$ 4,500.00
Joan Wall- Bookkeeping	
services rendered for the month of January 2011	\$ 350.00
Holland & Knight- Legal Services	
Pension Compliance Review Per Inv.# 2598672	\$ 475.00
GRS- Actuary Fee	
Actuary fees rendered 11/30/10 Per Inv.# 113645	\$ 1,954.00
Milliman, Inc. - Fund Consultant	
Qtr. Ending 12/31/10 Per invoice dated 12/8/10	\$15,100.00
Travelers- Workers Comp	
Add'l Premium for policy 4839M755 6/25/10-10/12/10	\$ 111.00
Information Technology- Computers & Phone	
For the month of Nov. 2010 Per Inv. # 00020515	\$ 2,704.00
SBS Miami Lakes- Copier	
Monthly copier fees per inv.# 167126150	\$ 228.56
IDD- Storage Fees	
Monthly storage fees per inv.# 052323	\$ 136.24
FPPTA- Conf. & Edu.	
CPPT Re-Certification Fees	\$ 180.00

C-13 Requests for Payment (Conferences) - (None)

REGULAR AGENDA

R-1 Deferred Items -

R-2 New Items -

- A. Holland & Knight Letter dated January 4, 2011 regarding application of Internal Revenue Code Section 415 - The Board reviewed the letter dated January 4, 2011 requested from Robert Friedman, the Fund's tax attorney, regarding Gabriel Roeder Smith & Company's (GRS) application of the limits of IRS 415 to the benefits payable from the Plan, the payments made in excess of the limits of section 415 from 2006 through 2009, and the proposal for correcting such excess benefit payments. It was noted that in the letter Mr. Friedman stated that the general principle appeared reasonable to him and his firm.

PENSION BOARD MINUTES

January 11, 2011

Page 4

- B. Response from GRS regarding Invoice # 111633 - The Board approved paying invoice #111633 after reviewing the actual time charges and accepting a 15% discount for a new amount due of \$11,285.

A motion was made by Mr. Sinkes duly seconded by Mr. Gomez, and unanimously

RESOLVED That GRS Invoice #111633 for the amount of \$11,285 be approved as presented.

- C. Review of Steve Cypen's monthly invoice - Chairman Boyd reminded the Board that Mr. Cypen had taken a temporary \$500 monthly retainer reduction beginning in October 2007. Mr. Cypen stated that he recalled that this reduction was for 1 year. He said that it was his fault for not reminding the Board to revert back to a \$5000 monthly retainer. He stated that he was asking the Board to revert the retainer to \$5000 retroactive to October 1, 2010.

A discussion ensued. It was determined that by granting Mr. Cypen's request the budgeted line item, legal fees, would be exceeded by approximately \$6000. After a brief analysis the Board determined that \$6000 could be re-allocated to legal fees by reducing printing & postage \$2000 and by reducing conferences & education \$4000.

A motion was made by Mr. Green duly seconded by Mr. Horday, and with all in favor except Jose Cruz, it was

RESOLVED That Mr. Cypen's monthly retainer be reverted retroactively to \$5000 monthly beginning October 1, 2010.

Mr. Cruz requested in the future to see a breakdown, if possible, of the average time Mr. Cypen spends on a monthly basis working with the Plan. A discussion ensued regarding the Plan's policy and procedures. The Administrator stated that the Fund did have a manual of procedures. Ms. Fernandez requested that the existing policy and procedures be scanned and sent to the Trustees as well as placing the topic on the March 2011 Board agenda. Ms. Walker requested that the item, review of vendors, be placed on the March 2011 agenda as well.

PENSION BOARD MINUTES

January 11, 2011

Page 5

R-3 Other Business

- A. Administrator's Report - The Administrator said that Goldstein, Schechter & Koch (GSK), the Fund's external auditors, had been confirmed to present the 9/30/10 financial statements at the February 8th Board meeting. He said that the implementation of the 415 limits had been successful and thanked the City's finance-payroll department for their assistance in producing the excess benefit plan checks to all affected members. The Administrator said that he was substantially done compiling the actuarial data and GRS had confirmed that they could present the October 1, 2010 valuation at the March 2011 Board meeting.

R-4 For Your Information

Chairman Boyd and Mr. Boyd reviewed For Your Information.

There being no further business to discuss, a motion was made by Mr. Green duly seconded by Ms. Fernandez and unanimously

RESOLVED That the meeting be adjourned. The meeting was adjourned at 11:46 a.m.

James Boyd, Chairman

Hilda Fernandez, Secretary